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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,103	10/25/2001	Benjamin J. Parker	1689 (15724)	3674

33272 7590 02/18/2005

SPRINT COMMUNICATIONS COMPANY L.P.  
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MAILSTOP: KSOPHT0101-22100  
OVERLAND PARK, KS 66251-2100

EXAMINER

BATES, KEVIN T

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/054,103

Applicant(s)

PARKER ET AL.

Examiner

Kevin Bates

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10-25-01</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This Office Action is in response to a communication made on October 25, 2001.

The Information Disclosure Statement was received on October 25, 2001.

Claims 1-4 are pending in this application.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sitaraman (6427170) in view of Grant (5027269).

Regarding claim 1, Sitaraman discloses a method of managing user connection sessions with a gateway in a computer network (Column 8, lines 23 – 28), said method comprising the steps of: storing user data on said gateway in response authentication by said user (Column 8, lines 23 – 28); storing user status information in a table in a RADIUS server during times that an authenticated user session is established with said gateway (Column 8, lines 29 – 38; Column 7, lines 8 – 12); deleting said user status information from said table when said authenticated user session is terminated (Column 8, lines 32 – 38); said gateway routing said user traffic in response to said user data (Column 7, line 65 – Column 8, line 12), but does not explicitly indicate detecting a failure of said gateway wherein said stored user data is lost; said gateway sending a request to said RADIUS server to provide said user status information and user data

corresponding to each user in said table; storing said user data on said gateway; and said gateway routing said user traffic to continue said authenticated user session in response to said user data and said user status information without requiring re-authentication following said failure. Grant teaches a failure recovery system for network nodes, where the session state is published to another network node, like Sitaraman's system (Column 2, lines 38 – 42). Grant also teaches detecting a failure of said gateway wherein said stored user data is lost (Column 4, lines 42 – 51); said gateway sending a request to said server to provide said user status information and user data corresponding to each user in said table (Column 4, line 67 – Column 5, line 2); storing said user data on said gateway; and said gateway routing said user traffic to continue said user session in response to said user data and said user status information without requiring re-authentication following said failure (Column 5, lines 20 – 30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Grant's teaching of network node recovery in Sitaraman's system in order to allow Sitaraman's system to recover from faults without having to re-establish the communication sessions that are active (Column 2, lines 21 – 30).

Regarding claim 2, the combination of Sitaraman and Grant discloses that said user status information includes an IP address assigned to said user for said session (Sitaraman, Column 8, lines 35 – 38).

Regarding claim 3, the combination of Sitaraman and Grant discloses that said detecting step is comprised of a power-up initialization (Grant, Figure 2, element 100, 106, and 108).

Regarding claim 4, the combination of Sitaraman and Grant discloses said step of requesting said RADIUS server to provide said user status information and said user data is included in a boot-up sequence of said gateway (Grant, Figure 2, element 100, 106, and 108).

### ***Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 5652908 issued to Douglas, because it discloses an external tracker of sessions among network nodes.

U. S. Patent No. 6061807 issued Albert, because it discloses a failover system for end nodes, by publishing the session information to a server, and retrieving that information in case of failure.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB  
February 16, 2005



**HOSAIN ALAM**  
SUPERVISORY PATENT EXAMINER